

## **REMARKS**

Claims 36-49 are pending in this application. Claim 36 is an independent claim and the remaining claims are dependent claims. Claim 36 is amended in this response. The amendment does not raise new matter.

### **I. Examiner's Interview**

Applicant appreciates the courtesies extended by Examiner Galka and supervisor Examiner Bumgarner during the February 8, 2011 telephone interview with Brian Comack and Kinza Hecht. During this Interview, the Examiner suggested removing "at least" from the phrase "at least one side" to "overcome [the] Cuff reference", which has only one row of code on each side of the card. *See* 2/10/2011 Interview Summary at 2. Applicant has amended independent claim 36 in this manner.

During the interview, Applicant's representatives also argued that the binary code represented by the 1's on the right side of the card is different from the binary code in the 0's on the left side of the card. As such, the binary zeroes on the left side are clearly different than the binary ones on the right side. Thus, Cuff fails to disclose "at least two rows of code elements arranged along one side on the surface of a card", as recited by independent claim 1. No agreement was reached on this issue.

### **II. Rejections under Double Patenting**

Claims 36-45 and 49 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 4, 11 and 14 of copending U.S. Patent Application No. 11/929,749 ("the '749 application"). The present

application is an earlier filed parent application to the '749 application, which is a divisional thereof. It is requested that the Examiner withdraw this rejection when this double patenting rejection is the only remaining rejection in this application, as indicated by the Examiner on page 2 of the Office Action.

### **III. Claim Rejections on Prior Art Grounds**

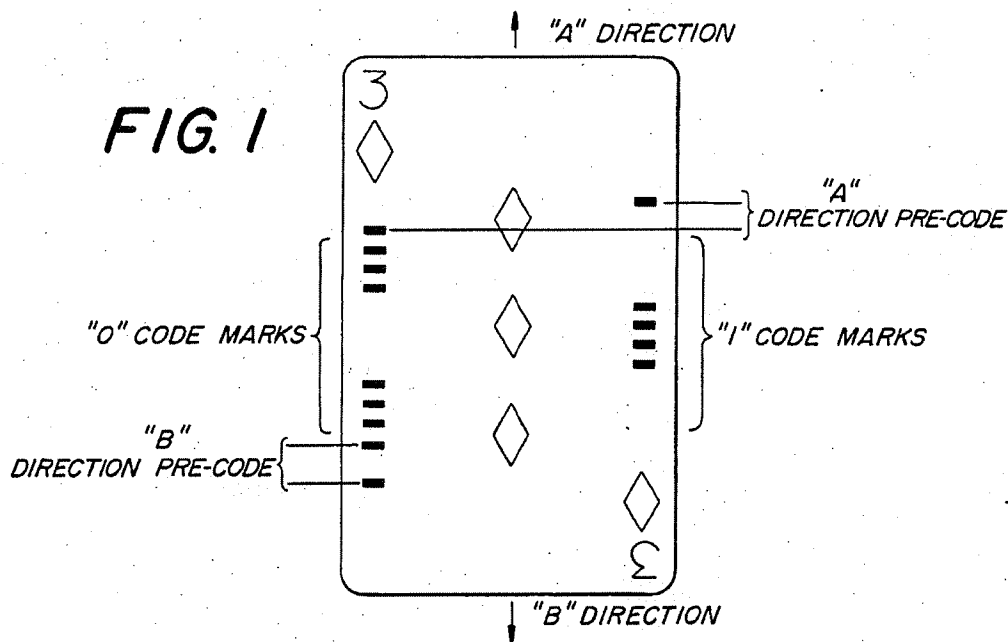
Claims 36, 37, 39-44 and 46-48 are rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 4,534,562 ("Cuff") in view of U.S. Patent No. 6,042,150 to Daley ("Daley"); claims 36, 38, 43, 45 and 49 are rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,093,103 to McCrea ("McCrea") in view of Daley and Cuff. These rejections are respectfully traversed.

Independent claim 36 recites a card reading system including (among other things):

***two rows of code elements arranged along one side*** on the surface of a card in a card drawing direction, wherein each of the rows of code elements are stacked inwardly from an edge of the card toward a center of the card and spaced apart from each other and wherein ***the same code is provided along opposed sides of the surface of the card*** in the card drawing direction.

At least these features are neither taught nor suggested by the cited references.

The card in Cuff is shown in FIG. 1 (reproduced below):



As discussed during the interview, Cuff fails to disclose two rows of code on each side of the card. As shown in FIG. 1 of Cuff above, the left side of the card has only a single row of code, and the right side of the card has only a single row of code. Therefore, neither Cuff nor any of the other cited references teach or suggest “*two rows* of code elements arranged along” each side the card, as recited by claim 36. As discussed above, Applicant has, at the Examiner’s suggestion, deleted the words “at least” from claim 36 to clarify that there are two rows of code on each side of the card. As such, the claims are allowable over the cited art for these reasons alone.

Additionally, as discussed during the interview, Cuff discloses that “bars representing binary 0’s are located along one side edge of the face of the card, while bars representing binary 1’s are located along the opposite side edge of the face of the card.” (See Col. 4, lines 26-29, Fig. 1, emphasis added). Therefore, the codes on the left and right sides of the card are different. Since claim 36 requires that “the same code is provided along opposed sides of the surface of the

card in the card drawing direction,” claim 36 is allowable for this additional reason.

In the “Response to Arguments” section (*See* Office Action, pages 7-8), the Examiner asserts that Cuff shows **the same code** is provided on opposite sides of the card, because in his view, the combination of the code on the left side of the card and right side of the card numerically represents the same value. However, this is not what Cuff teaches. Instead, Cuff discloses that “binary ones are sensed by one photocell and binary zeros by a second photocell,” (col. 7, lines 61-62). The photocell sensors 34 and 36 on the left and right side of the reader determine the value and suit of the card based on the combination of the ones and zeroes. If only one of the two rows of code were read, then the reader would not be able to determine the suit and value of the card. As such, it is respectfully submitted that the code on the left and right side of the card do not represent the same information. Simply put, these codes are not the same.

Since none of the cited prior art discloses the foregoing claim elements, it is respectfully submitted that all of the pending claims are allowable.

### **CONCLUSION**

In view of the preceding Amendments and Remarks, reconsideration and withdrawal of the various objections and rejections set forth in the Office Action is respectfully requested.

Appl. No. 10/542,073  
Amendment dated February 18, 2011  
in response to Office Action dated January 20, 2011

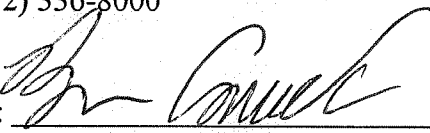
Att. Dock. No. 03125/33

No additional fee is deemed necessary in connection with this Amendment. However, authorization is given to charge any deficiency or credit any overpayment to Deposit Account No. 01-1785.

Respectfully submitted,

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Dated: New York, New York  
February 18, 2011

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